

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 231

Rejection for nomenclatorial purposes of Martin (W.), 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* and of the work by the same author published in 1809 under the title *Petrificata Derbiensia*

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 231

REJECTION FOR NOMENCLATORIAL PURPOSES
OF MARTIN (W.), 1793, "FIGURES AND
DESCRIPTIONS OF PETRIFACTIONS
COLLECTED IN DERBYSHIRE" AND
OF THE WORK BY THE SAME
AUTHOR PUBLISHED IN 1809
UNDER THE TITLE "PET-
RIFICATA DERBIENSIA "

RULING :—(1) Martin (W.) did not apply the principles of binominal nomenclature in the under-mentioned works, which are accordingly unavailable for nomenclatorial purposes :—(a) Martin, 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* ; (b) Martin, 1809, *Petrificata Derbiensia : or Figures and Descriptions of Petrifications collected in Derbyshire*.

(2) The foregoing works are accordingly hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Works Nos. 3 and 4.

(3) The International Commission on Zoological Nomenclature is prepared to give sympathetic consideration to any application which may be submitted to it by interested specialists for the validation, under the Plenary Powers, as from Martin, 1809, of any specific name first published by that author in the *Petrificata Derbiensia* where that name is in common use and it can be shown that, in consequence of the decision given in (1) above, it would be necessary to change that name and that such change would lead to confusion in nomenclature.

I.—THE STATEMENT OF THE CASE

On 28th June 1939 Dr. J. Brookes Knight (then of *Princeton University, Department of Geology, Princeton, New Jersey, U.S.A.*) submitted the following application to the International Commission on Zoological Nomenclature for a ruling on the question of the availability of names published in the work by William Martin entitled *Figures and Descriptions of Petrifications collected in Derbyshire* published in 1793 and in the work by the same author entitled *Petrificata Derbiensia : or Figures and Descriptions of Petrifications collected in Derbyshire* published in 1809 :—

On the status of Martin (W.), 1793, “ Fig. Descr. Petrif. Derbyshire”, and 1809, “ Petrificata Derbiensia ”

By J. BROOKES KNIGHT

(*Department of Geology, Princeton University, Princeton, New Jersey*)

I wish to have an *Opinion* from the International Commission on the status of the names in Martin (W.), 1809, *Petrificata Derbiensia* ; or *Figures and descriptions of petrifications collected in Derbyshire*.

Martin seems to have been familiar with Linnean binominal nomenclature (see *Petrif. Derb.* : footnote bottom page opposite Plate 41) and yet he consistently employs for fossils trinominals such as *Conchylolithus Anomites productus*, where, for example, he calls *Conchylolithus* the “ genus ”, *Anomites* the “ family ”, and *productus* the “ species ”. He even employs designations of four terms such as *Conchylolithus Nautilites Ammonites listeri*. He explains his system of terms, I am uncertain as to whether or not they are names, in a separate work published at about the same time and referred to in *Petrif. Derb.* on page VIII. This separate work is : *Outlines of an attempt to establish a knowledge of extraneous fossils on scientific principles*, 1809.

To make my question more precise :—

- (1) Have the names that Martin considered “ generic ”, for example *Conchylolithus*, any standing in nomenclature ?
- (2) Have the names that Martin considered as pertaining to “ families ”, for example *Anomites*, *Ammonites*, *Nautilites*, any standing in nomenclature from Martin’s usage of them, and more specifically standing as generic names ?
- (3) Have the names that Martin considered as “ specific ” any standing in nomenclature as trivial names ?

Later authors have almost universally adopted Martin's trivial names, citing them from *Petrificata Derbiensia*, 1809. His terms of higher rank have been universally ignored. His earlier usage of some of the terms may help throw some light on the matter. Thus in 1809 he uses the name *Conchyliolithus Helicites catillus*. In 1793 (Martin (W.), *Figures and descriptions of petrifications collected in Derbyshire* (which is not his *Petrificata Derbiensia* of 1809, but a predecessor of that work)) he describes this species for the first time as "CONCHYLIOLITHUS (catillus) HELICIS"—followed by a Latin diagnosis. It is perfectly clear here from the discussion in English in the following paragraph that he does not here regard "*Conchyliolithus*" as a name but merely a designation for fossilised shells. He begins his English discussion: "A fossil shell, of the genus *Helix*". Thus to rewrite the name in its correct form and in the nominative¹ case we would have "*Helix catillus*". Are the trivial names that appear in Martin, 1793, for example *catillus* as cited above, valid?

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, the present application was given the Registered Number Z.N.(S.) 147. The outbreak of war in Europe in September 1939, barely two months after the receipt of this application, rendered impossible any immediate progress in its consideration, for, as a precaution against the risk of destruction through air raids, all the records of the International Commission were evacuated from London to the country within a few days of the commencement of hostilities. The Secretariat in London was re-opened in 1942, and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the International Commission for decision. Work was at once started on outstanding applications with a view to arranging for their publication in the newly established *Bulletin*. The present application was sent to the printer in September 1944, but, owing to difficulties arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31 March 1947 (Knight, 1947, *Bull. zool. Nomencl.* 1 : 260).

¹ See Opinion 183 (1944, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 3 : 13—24).

3. *Issue of Public Notices* : In view of the possibility that the International Commission might take the view that one or other of Martin's two works were available for nomenclatorial purposes but that it was desirable that the work in question should be suppressed for those purposes, it was judged desirable in 1947 to put the Commission in a position at once to use its Plenary Powers in this case in the event of its deciding to make use of this procedure. Accordingly, on 29th September 1947, a notice of the possible use, by the International Commission on Zoological Nomenclature, of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the use of the Plenary Powers in this case.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in regard to this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 15) (1950, *Bull. zool. Nomencl.* 4 : 450—452) :—

THE COMMISSION agreed :—

- (1) that in the undermentioned works Martin (W.) did not apply the “*principes de la nomenclature binominale*” as required by Proviso (b) to Article 25 and that therefore no name, whether an apparent generic name or an apparent trivial name, published in either of

these works possessed any availability under the *Règles* as from the date of being so published :—

- (a) Martin, 1793, *Figures and Descriptions of Petrifications collected in Derbyshire* ;
 - (b) Martin, 1809, *Petrificata Derbiensia : or Figures and Descriptions of Petrifications collected in Derbyshire* ;
- (2) to give sympathetic consideration to any application which might be submitted by interested specialists for the validation as from Martin, 1809, of any trivial name first published by that author in his *Petrificata derbiensia* where that name was in general use for a common species and it could be shown that under (1) above it would be necessary to change the name of that species and that such change would lead to confusion in nomenclature ;²
- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

5. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* **5** : 114).

6. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice*

² The invitation so extended by the International Commission has elicited from Dr. Helen Muir-Wood and Dr. C. J. Stubblefield a joint application for the validation, under the Plenary Powers, of two specific names for species of the Class Anthozoa and of eight such names for species of the Class Brachiopoda (Z.N.(S.) 461) (1951, *Bull. zool. Nomencl.* **6** : 7—17).

Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

7. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

8. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name". Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The change in terminology so adopted has been incorporated in the Ruling given in the present *Opinion*.

9. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing provision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of Martin's *Figures and Descriptions of Petrifications* of 1793 and of the same author's *Petrificata Derbiensia* of 1809.

10. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission

by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. The present *Opinion* shall be known as *Opinion* Two Hundred and Thirty-One (231) of the International Commission on Zoological Nomenclature.

DONE in London this Sixth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

